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7 **UNITED STATES DISTRICT COURT**  
 8 **DISTRICT OF NEVADA**

9 CHARLES BUTLER, Individually and as  
 10 Assignees of TERRILYNN MORRISON,

11 Plaintiff,

12 vs.

13 PROGRESSIVE DIRECT INSURANCE  
 COMPANY; DOES I-V, and ROE  
 14 CORPORATIONS I-V, inclusive.

15 Defendants.

Case No: 2:23-cv-00566-APG-BNW

**STIPULATION AND ORDER TO  
 EXTEND DISCOVERY DEADLINES  
 (Sixth Request)**

16 Defendant PROGRESSIVE DIRECT INSURANCE COMPANY and Plaintiff CHALRES  
 17 BUTLER, through their respective counsel, submit the foregoing stipulation and order to extend  
 18 discovery deadlines pursuant to LR 26-4 as follows:

19 1. Summary of Discovery Completed

20 To date, the following discovery has been completed in this case:

| Item  | Date Completed |
|---|----------------|
| Plaintiff's Initial Rule 26(a) Disclosures  | 06/21/2023     |
| Plaintiff's First Set of Interrogatories and Requests for Production to Defendant             | 06/22/2023     |
| Defendant's Initial Rule 26(a) Disclosures  | 07/17/2023     |
| Plaintiff's First Supplemental Rule 26(a) Disclosures   | 08/01/2023     |
| Defendant's Responses to Plaintiff's First Set of Interrogatories and Requests for Production | 08/04/2023     |
| Plaintiff's Second Supplemental Rule 26(a)  | 08/11/2023     |

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| Item   | Date Completed |
|--|----------------|
| Disclosures  |                |
| Defendant's Supplemental Responses to Plaintiff's First Set of Interrogatories and Requests for Production | 09/01/2023     |
| Defendant's First Supplemental Rule 26(a) Disclosures  | 09/11/2023     |
| Plaintiff's Third Supplemental Rule 26(a) Disclosures  | 09/14/2023     |
| Defendant's Second Supplemental Rule 26(a) Disclosures   | 11/02/2023     |
| Defendant's Third Supplemental Rule 26(a) Disclosures  | 11/03/2023     |
| Defendant's Designation of Expert Witness  | 11/08/2023     |
| Plaintiff's Fourth Supplemental Rule 26(a) Disclosures   | 01/10/2024     |
| Defendant's Fourth Supplemental Rule 26(a) Disclosures   | 01/10/2024     |
| Defendant's Fifth Supplemental Rule 26(a) Disclosures  | 01/19/2024     |
| Defendant's Sixth Supplemental Rule 26(a) Disclosures  | 02/08/2024     |
| Defendant's Seventh Supplemental Rule 26(a) Disclosures  | 02/09/2024     |
| Defendant's Eighth Supplemental Rule 26(a) Disclosures   | 03/07/2024     |
| Plaintiff's Sixth Supplemental Rule 26(a) Disclosures  | 03/11/2024     |
| Plaintiff's Seventh Supplemental Rule 26(a) Disclosures  | 10/14/2024     |
| Deposition of Stefani Aliberti (Rule 30(b)(6) Designee for Progressive)                                    | 10/22/2024     |
| Defendant's Ninth Supplemental Rule 26(a) Disclosures  | 10/30/2024     |
| Plaintiff's Eighth Supplemental Rule 26(a) Disclosures   | 10/31/2024     |

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1           2. Discovery Remaining

2           The following discovery remains to be completed:

- 3           a) The deposition of Perla Ramos, previously noticed;
- 4           b) The deposition of Jacqueline Martinez, previously noticed;
- 5           c) The deposition of Amanda Nalder, previously noticed;
- 6           d) The deposition of Preston Rezaee, previously noticed;
- 7           e) The deposition of Israel Ruiz (ex-husband of Terry Morrison), currently scheduled for
- 8                 January 3, 2025;
- 9           f) Deposition(s) of percipient witnesses;
- 10          g) Deposition of Defendant's expert witness;
- 11          h) Additional Written Discovery; and
- 12          i) Deposition of Plaintiff.

13          3. Reason Why Discovery Was Not Completed

14          Discovery in this matter is currently scheduled to close on January 6, 2025, shortly after the

15          holiday season. The Court's most recent Scheduling Order was filed on September 17, 2024.

16          Defendant filed a Motion for Summary Judgment on April 9, 2024 (Docket # 28). On November 21,

17          2024, the court issued an order granting leave for Plaintiff to file a Rule 56(d) Motion (Docket #49,

18          *see also* Docket #51). The Parties have agreed to extend the discovery deadlines in this matter to

19          allow Plaintiff to submit such motion and in anticipation that the Court may rule on the same prior to

20          the close of discovery. Depending on the outcome of that ruling, additional discovery costs might be

21          avoided. Additionally, the Parties anticipate that the holiday season will interrupt the time and

22          availability to conduct further discovery.

23          As such, the parties believe that good cause exists to justify extending the discovery

24          deadlines and hereby request a 60-day extension of the discovery deadlines to allow for additional

25          time to complete the remaining discovery.

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4. Proposed Schedule for Completing Discovery

Accordingly, the parties respectfully request that this Court enter an order setting the following discovery plan and scheduling order dates:

| Event                          | Former Deadline   | New Deadline           |
|--------------------------------|-------------------|------------------------|
| Amend pleadings or add parties | July 11, 2023     | No extension requested |
| Initial Expert Designations    | November 8, 2023  | No extension requested |
| Rebuttal Expert Designation    | December 11, 2023 | No extension requested |
| Discovery Cut-off              | January 6, 2025   | March 7, 2025          |
| Dispositive Motions            | February 3, 2025  | April 4, 2025          |
| Joint Pre-Trial Order          | March 4, 2025     | May 5, 2025            |

Counsel further state that the requested extension of discovery deadlines is not interposed for purposes of delay, but rather for the purposes set forth above.

DATED this 3<sup>rd</sup> day of December, 2024

DATED this 3<sup>rd</sup> day of December, 2024

BARRON & PRUITT, LLP

LAW OFFICE OF DAVID SAMPSON, LLC

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**IT IS SO ORDERED.**

  
 UNITED STATES MAGISTRATE JUDGE

DATED this 4th day of December 2024.